

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

**JESSICA CASEY and JASON COLEMAN,
on behalf of the RVNB Holdings, Inc.
Employee Stock Ownership Plan, and on
behalf of a class of all other persons
similarly situated,**

Plaintiffs,

v.

**RELIANCE TRUST COMPANY, a
Georgia corporation,**

Defendant.

Case No. 4:18-CV-00424-ALM

**DECLARATION OF THOMAS R. AJAMIE FILED ON BEHALF OF
AJAMIE LLP IN SUPPORT OF APPLICATION FOR AWARD OF
ATTORNEYS' FEES AND EXPENSES**

I, Thomas R. Ajamie, declare as follows:

1. I am Managing Partner of the firm of Ajamie LLP (“Ajamie LLP”). I am submitting this declaration in support of my firm’s application for an award of attorneys’ fees and expenses related to services rendered in the above-entitled action (the “Action”).
2. This firm is counsel of record for Plaintiffs and Class Representatives Jessica Casey and Jason Coleman and is Class Counsel for the Settlement Class. *See* ECF Nos. 157, 159 & 160.
3. The information in this declaration regarding the firm’s time and expenses is taken from time and expense printouts and supporting documentation prepared and/or maintained by the firm in the ordinary course of business. These reports (and backup documentation where necessary) were reviewed in connection with the preparation of this declaration. The purpose of this review was to confirm both the accuracy of the entries on the printouts as well as the necessity for, and reasonableness of, the time and expenses committed to the litigation. As a result of this review, reductions were made to both time and expenses in the exercise of billing judgment. As a

result of this review and the adjustments made, I believe that the time reflected in the firm's lodestar calculation and the expenses for which payment is sought as stated in this declaration are reasonable in amount and were necessary for the effective and efficient prosecution and resolution of the Action. I also believe that the expenses are all of a type that would normally be charged to a fee-paying client in the private legal marketplace.

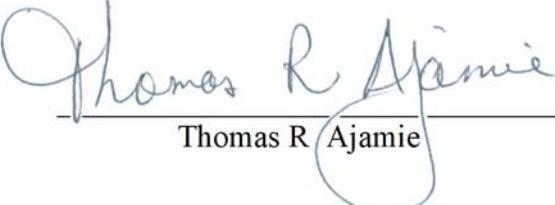
4. After the reductions referred to above, the number of hours spent on this Action by my firm is 195.4. A breakdown of the lodestar is provided in Exhibit A. The lodestar amount for attorney/paraprofessional time based on the firm's current rates is \$143,656. The hourly rates in Exhibit A are the usual and customary rates set by the firm for each individual.

5. These hourly rates are also, in my experience, reasonable for this type of work in Texas federal courts, including in the Eastern District of Texas. *See, e.g., In re Cobalt International Energy, Inc. Securities Litigation*, No. 4:14-cv-3428 (S.D. Tex.), ECF No. 359-12 (Declaration of Thomas R. Ajamie in Support of Lead Counsel's Motion for an Award of Attorneys' Fees and Reimbursement of Litigation Expenses, Filed on Behalf of Ajamie LLP, dated Jan. 8, 2019) and ECF No. 366 (Order Awarding Attorneys' Fees and Payment of Litigation Expenses, dated Feb. 13, 2019).

6. My firm seeks an award of \$4,095.37 in expenses related to the prosecution of the litigation. Those expenses are summarized in Exhibit B.

7. The resume of my firm and its lawyers is attached as Exhibit C.

I declare under penalty of perjury that the foregoing is true and correct. Executed on
June 22, 2020, at Phoenix, Arizona.



Thomas R Ajamie

EXHIBIT A

Professional Time

EXHIBIT A

Jessica Casey and Jason Coleman v. Reliance Trust Company
Ajamie LLP
Inception through June 22, 2020

NAME	POSITION	HOURS	RATE	LODESTAR
John S. "Jack" Edwards, Jr.	Partner	185.3	\$760	\$140,828
Whitney Harrelson	Paralegal	10.1	\$280	\$2,828
	TOTAL	195.4		\$143,656

EXHIBIT B

Expenses

EXHIBIT B

Jessica Casey and Jason Coleman v. Reliance Trust Company
Ajamie LLP
Inception through June 22, 2020

CATEGORY	AMOUNT
Filing and Other Fees	\$47.00
Transportation and Hotels	\$1,277.97
Photocopies	\$348.40
Private Investigator	\$2,198.00
Professional Civil Process	\$224.00
TOTAL	\$4,095.37

EXHIBIT C

Ajamie LLP Firm Resume



HOUSTON
Pennzoil Place – South Tower
711 Louisiana, Suite 2150
Houston, Texas 77002

NEW YORK
460 Park Avenue - 21st Floor
New York, New York 10022

713 860 1600 telephone
713 860 1699 facsimile
www.ajamie.com

About Ajamie LLP

Our firm handles complex litigation matters, including ERISA class actions, securities class actions, securities arbitrations, financial disputes, and business litigation. We are lean and efficient, with the expertise and resources to represent clients worldwide. We have secured landmark awards and settlements and have a record of positive outcomes – winning critical victories and over \$1 billion in settlements and awards.

The firm has successfully handled a number of high-profile cases, including representing companies, pension funds and shareholders seeking to recover losses in stock fraud cases, and corporations and officers and directors being sued in securities matters. Thomas Ajamie, Managing Partner, holds the distinction of winning some of the largest securities arbitration awards in United States history.

Representative Matters: Securities / Finance / Business

- Member of the legal team that recovered over \$173.8 million for investors in the Cobalt International Energy, Inc. securities class action litigation. Our clients alleged that the defendants violated the federal securities laws by, among other things, misstating and concealing facts on Cobalt's partnership with Angolan government officials and the productivity of Cobalt's Angolan oil and gas wells. United States District Court Judge Nancy Atlas lauded the lawyers' work when she said "Plaintiffs' counsel conducted the litigation and achieved the settlements with skill, perseverance and diligent advocacy."
- Liaison counsel in securities litigation in the Southern District of Texas, including cases against Anadarko Petroleum Co., KBR, and Conn's.
- Successfully sued Wells Fargo and won a seven-figure settlement in a case where some of its employees secretly diverted money from client accounts in Beverly Hills over two and one-half years. One of the Wells Fargo advisors was sentenced to 24 months in federal prison for his role in the fraud. The case was featured on the front page of the New York Times.
- Co-lead counsel in an ERISA class action against Wells Fargo, alleging that Wells Fargo improperly forfeited ERISA protected retirement funds belonging to former Wells Fargo

financial advisors, in violation of ERISA, when the advisors left Wells Fargo to work elsewhere. The case was certified as a class action and has preliminarily settled.

- Winning dismissal for our client, a director of the defendant company, of a securities fraud class action, and settled the action on behalf of a second director without liability for the director.
- Winning the dismissal for lack of personal jurisdiction of patent-infringement claims brought against a Finnish company in Texas federal court.
- Co-counsel in BP ERISA Litigation, alleging that company stock was an imprudent investment for employee retirement plan.
- Co-counsel in an ERISA class action alleging that plan fiduciaries breached their duties of loyalty and prudence by selecting and maintaining inappropriate Putnum mutual funds for the defendant company's 401(k) plan.
- Member of the legal team that recovered a \$70 million settlement from Securities America, Inc., the broker-dealer subsidiary of Ameriprise Financial, Inc., for investors who lost money in the Medical Capital Ponzi scheme.
- Winning a \$14.5 million arbitration award on behalf of a New York family against Prudential Equity Group over the course of 84 hearing sessions occurring at the New York Stock Exchange. According to The Wall Street Journal, the award was the third largest award at the time to be handed out by an arbitration panel at the NYSE.
- Settling a lawsuit against two insurance agents, six insurance companies and a law firm for \$7.29 million after four days of trial in Galveston state court. The lawsuit alleged that the defendants negligently advised a 90-year-old widow and her 65-year-old son to sell their Berkshire Hathaway, Inc. stock and use the proceeds to purchase life insurance and annuities as part of an "estate tax plan."
- Negotiating a seven-figure settlement against a national stock brokerage firm for a married couple in Philadelphia whose life savings was lost when a broker churned their account and used their savings to buy speculative technology and internet stocks. We also made claims against the brokerage firm for failing to properly supervise its brokers and failing to notify the customers about the inappropriate handling of their account.
- Winning a \$429.5 million arbitration award, the largest in history, against a former PaineWebber broker. The Wall Street Journal noted at the time that the size of the award was "roughly 10 times that of the next largest award." The United States Attorney's office criminally prosecuted one of the PaineWebber brokers involved in the fraud. That broker had worked in PaineWebber's New York headquarters office. The broker was sentenced to six and a half years in federal prison.

- Winning the dismissal of 21 consolidated class action lawsuits filed in federal court against former officers of a NYSE-listed client alleging violations of Sections 10(b) and 20(a) of the Securities Exchange Act of 1934, and Rule 10b-5 thereunder.
- Winning an eight-figure settlement on behalf of several investors defrauded of over \$100 million by one of the United States' largest national brokerage firms.
- Successfully representing a pension fund in a lawsuit against a New York hedge fund after the hedge fund lost 30% of the funds with which it was entrusted.
- In the Enron litigation, representing one of the insurance companies that provided directors and officers insurance coverage.
- Winning a \$12.2 million judgment, including full damages and all attorneys' fees, on behalf of a multinational computer technology company against its former employees who conspired to engage in a false-invoice and bid-rigging scheme to defraud the company.
- Winning a record \$112 million jury award on a civil RICO Act claim on behalf of our Fortune 100 client against defendants who conspired to extort money from our client and tamper with trial witnesses. The jury's verdict was the largest RICO verdict in Texas history, and the third largest in the history of the United States.
- Successfully litigating and settling for seven figures an unliquidated and unsecured general creditor litigation claim in the New York Lehman Brothers bankruptcy proceeding.
- Winning the dismissal of a complaint filed in New Jersey by Prime Healthcare, Inc. against our client who operates hospitals in New Jersey. The complaint asserted antitrust and common law claims and alleged that our client had conspired with others to prevent the plaintiff from competing in New Jersey.
- Negotiating and drafting a structured multimillion-dollar Mexico/USA cross-border settlement resolving over 40 civil actions including federal and state court proceedings in the United States, federal and state court proceedings in Mexico, and civil arbitration proceedings in Mexico.
- Recovering a multi-million dollar "clawback" for a Fortune 100 client in a case where the client's executive employees were hired away by a competitor. The departing executives had signed agreements in which they promised to pay back restricted stock and stock option awards that they received if they went to work for a competitor.
- Successfully defending our client, a major automobile parts manufacturer, in a consumer class action seeking hundreds of millions of dollars for costs of defective parts used in Ford vehicles.

- Representing an Illinois-based utility company in litigation against distressed bondholders seeking recovery following an \$80 million bond default for an electric power facility located outside of Chicago. This was the “eighth largest municipal bond default in the history of the municipal market,” according to the Bond Investors Association.
- Winning a dismissal of all claims against a major utility company in an antitrust lawsuit alleging conspiracy to monopolize, tying, and a group boycott involving an interstate gas pipeline system.
- Litigating the existence of an agreement to affiliate our client’s television stations with the WB Television Network. We secured a favorable settlement in the context of the sale of our client’s Houston station for \$95 million, an “incredibly high” price according to Variety, including payment of all our attorneys’ fees.
- Defending a major pharmaceutical company in a \$68 million lawsuit claiming breach of contract, fraud, tortious interference, misappropriation of confidential information, and conspiracy to convert patent rights in connection with the company’s alleged failure to invest in an agricultural equipment enterprise.

Our Lawyers

Thomas R. Ajamie Managing Partner

Mr. Ajamie is an internationally-recognized trial lawyer who has successfully represented clients in complex commercial litigation and arbitration. The authoritative Chambers USA has described Mr. Ajamie as “relentless, energetic and intelligent” and a “hard-working and successful trial lawyer who never quits.” He has handled a number of high-profile cases, including groundbreaking securities and financial cases, cross-border litigation, business contract disputes and employment issues. Mr. Ajamie has won two of the largest awards ever handed down by an arbitration panel for investors, including a \$429.5 million award. He has also won a record \$112 million civil RICO jury verdict. Mr. Ajamie has been recognized by numerous legal publications and directories, including Chambers USA, Best Lawyers in America, Euromoney’s Benchmark Litigation, and Super Lawyers, and is rated AV-Preeminent by Martindale-Hubbell. The National Law Journal has named Mr. Ajamie one of its 50 Litigation Trailblazers. He was also honored as one of the nation’s 500 Leading Lawyers by Lawdragon, as well as that publication’s “100 Lawyers You Need to Know in Securities Litigation.” Mr. Ajamie is regularly invited to give legal analysis by news media outlets including ABC, CNN, CNBC, NPR and BBC, and his work has been featured in publications such as The Wall Street Journal, The New York Times and The American Lawyer. He is the co-author of the book Financial Serial Killers: Inside the World of Wall Street Money Hustlers, Swindlers, and Con Men. Mr. Ajamie received his law degree from the University of Notre Dame Law School. He is licensed to practice law in Texas and New York, and is admitted to the United States District Courts for the Northern, Southern, Eastern and Western Districts of Texas, the District of Colorado, the United States Bankruptcy Court for the Southern District of New York, and the Fifth Circuit of the U.S. Court of Appeals.

Dona Szak Partner

Ms. Szak handles business litigation for foreign and domestic clients. She litigates in federal and state courts and has taken cases through all stages of proceedings: pre-lawsuit investigation, trial, appeal, and judgment collection. She has represented plaintiffs and defendants in contract, securities, antitrust, civil RICO, and business tort matters. By conducting preventive counseling, she has helped her clients achieve favorable resolutions to their business controversies, often without the necessity of filing or defending lawsuits. Ms. Szak has also been honored as one of the nation’s 500 Leading Lawyers by Lawdragon, and is rated AV-Preeminent by Martindale-Hubbell. Ms. Szak received her undergraduate degree from the University of Illinois and her J.D. *cum laude* from Washington & Lee University. She is licensed to practice law in Texas and is admitted to the Southern and Eastern Districts of Texas, and the Federal Circuit of the U.S. Court of Appeals.

David S. Siegel
Partner

Mr. Siegel has helped thousands of people obtain redress through our court system. He has over 30 years of experience advising businesses and individuals in commercial litigation, fiduciary duty and partnership litigation, liability suits, mass tort actions, consumer class actions, securities litigation, and bankruptcy litigation. Mr. Siegel's cross-border work includes arguing on behalf of clients located in the Philippines and Latin America, among other regions. His successes include successfully representing thousands of agricultural workers in toxic pesticide litigation; successfully representing investors in arbitration claims against their investment advisers; successfully representing wrongful death claimants in a suit against a private prison company for failing to maintain adequate security and allowing the escape of violent inmates; litigating and settling for seven figures an unliquidated and unsecured general creditor litigation claim in the New York Lehman Brothers bankruptcy proceeding and serving as a member of the legal team that recovered a \$70 million settlement from Securities America, Inc., the broker-dealer subsidiary of Ameriprise Financial, Inc., for investors who lost money in the Medical Capital Ponzi scheme. Mr. Siegel has been rated AV-Preeminent by Martindale-Hubbell. He received his law degree from the University of Houston Law Center and is licensed to practice in Texas. He is admitted to the Southern District of Texas, and the Fifth Circuit of the U.S. Court of Appeals.

John S. "Jack" Edwards, Jr.
Partner

Mr. Edwards offers his clients a broad-based trial and appellate practice, handling a wide variety of civil and criminal matters in state and federal courts throughout the country. He has represented clients in antitrust, contracts, copyright, First Amendment, fraud, insurance coverage, landlord-tenant, preemption, product liability, trade secrets, toxic tort, and wrongful death cases. His criminal experience includes the representation of companies in response to state and federal grand jury subpoenas involving fraud and copyright violations. His appellate experience includes the representation of a civil rights group in seeking certiorari from the U.S. Supreme Court on a First Amendment issue. Mr. Edwards was named a Texas Rising Star by Super Lawyers, and is rated AV-Preeminent by Martindale-Hubbell. He received his law degree from the University of Virginia School of Law. He is admitted to the Northern, Southern, Eastern and Western Districts of Texas, and the Fourth and Fifth Circuits of the U.S. Court of Appeals.

Courtney Scobie
Senior Counsel

Ms. Scobie's practice focuses on complex commercial litigation in state and federal courts and federal government investigations. Her experience includes a fraud and theft case on behalf of a large technology company, a breach of fiduciary duty and legal malpractice case on behalf of a real estate investment trust, copyright infringement and trade secret misappropriation cases against a leading enterprise software company, an SEC investigation and a securities class action involving alleged accounting improprieties, several CFTC investigations involving the crude oil and natural gas liquids markets, contract and insurance disputes in the energy and petrochemical industries, product liability and toxic tort litigation, and Fair Credit Reporting Act disputes. She

is a Phi Beta Kappa graduate of the University of Texas, and she earned her law degree from Georgetown University in 2004.